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4 UNITED STATES DISTRICT COURT
5 DISTRICT OF NEVADA
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8 MICHELE SANTOPIETRO.,

Case No. 2:12-cv-01648-JCM-PAL

9 Plaintiff,

ORDER

10 v.

11 C. HOWELL, *et al.*,

12 Defendants.

13 Presently before the court is the matter of *Santopietro v. Howell et al.*, case number 2:12-
14 cv-01648-JCM-PAL.

15 On September 19, 2012, plaintiff Michele Santopietro initiated this civil rights action
16 against defendants Clayborn Howell, Christine Crawford, and Francisco Lopez-Rosende
17 (collectively “officers”). (ECF No. 1). The record before the court establishes the following
18 facts:

19 On May 28, 2011, Santopietro and her friend, Lea Patrick, were working together on the
20 Las Vegas Strip in their “sexy cop” costumes. *See* (ECF No. 55). Howell approached the sexy
21 cops, took a free picture, but refused to pay a tip. *See Id.* After Patrick complained, stating that
22 Howell had agreed to tip her, the officers arrested Santopietro and Patrick for “doing business
23 without a license” in violation of Clark County Municipal Code § 06.56.030. *See Id.*


24 On June 16, 2014, the court entered summary judgment in favor of the officers, holding
25 that the officers had probable cause to arrest Santopietro. *Id.* On May 24, 2017, the Ninth
26 Circuit reversed in part and remanded, holding that “genuine disputes of fact remain as to (1)
27 which statements Santopietro made, and (2) the nature of the statement made.” (ECF No. 69).
28 Since then, neither party has substantively appeared in this litigation.

1 Because the court cannot proceed with this action until the parties file a proposed joint
2 pretrial order, the court will set a new filing deadline thirty (30) days from the date of this order.
3 If the parties fail to submit the necessary filing, plaintiff shall immediately follow the protocol
4 for default judgment pursuant to Federal Rule of Civil Procedure 55. If plaintiff does not move
5 for default, the court will dismiss this action for failure to prosecute pursuant to Federal Rule of
6 Civil Procedure 41(b).

7 Accordingly,

8 IT IS HEREBY ORDERED that the parties shall file a proposed joint pretrial order
9 within thirty (30) days from the date of this order. If the parties fail to comply with this order,
10 plaintiff shall initiate the protocol for default judgment pursuant to Federal Rule of Civil
11 Procedure 55. If plaintiff does not move for default, the court will dismiss this action for failure
12 to prosecute pursuant to Federal Rule of Civil Procedure 41(b).

13 DATED THIS 2nd day of April 2019.

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16 JAMES C. MAHAN
17 UNITED STATES DISTRICT JUDGE
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